

R E M A R K SSummary of the Interview

Applicants wish to thank Examiner Reyes and Supervisory Examiner Desai for their time and attention in the interview held on January 4, 2005. In the interview, the meaning of R¹ was discussed. Applicants' representative explained to the Examiner that the phrase "ether bond" implied an alkyl that was interrupted by an oxygen. The Examiner suggested amending the claims by deleting "ether bond" and inserting "alkoxy". The Examiner also suggests defining R¹ as an alkyl interrupted by one or more selected from the group consisting of... The Examiner also suggests rewriting the claims to recite that R¹ is optionally substituted by one or more selected from the group consisting of... The amendments and arguments herein are consistent with the Examiner's suggested amendments.

Status of the Claims

Claims 1-7 are pending in this application. Claims 1-3 have been indicated as being free of the prior art. No claims have been canceled. Claims 4-7 have been added. Claims 1 and 2 have been amended to delete the phrase "ether bond" and more particularly define the so-called ether bond as an alkoxy or interrupted alkyl.

Rejection under 35 USC 112, second paragraph

The Examiner rejects claims 1-3 for the definition of the variable R^1 , particularly for the term "ether bond". Applicants traverse the rejection and respectfully request the withdrawal thereof.

Applicants amend the claims to remove the phrase "ether bond". Applicants amend the definition of R^1 to particularly and distinctly recite the subject matter of the invention. R^1 is now defined as hydrogen or an alkyl group of 1 to 10 carbon atoms that is optionally interrupted by one or more from the group consisting of halogen atom, oxygen, alkoxy, carbonyl group, carboxyl group and cyano group, or an alkyl group of 1 to 10 carbon atoms optionally substituted by one or more from the group consisting of halogen atom, hydroxyl group, alkoxy, carbonyl group, carboxyl group and cyano group.

Applicants submit that support for these claim amendments is in the original disclosure. Applicants intended the phrase "ether bond" to imply an alkyl that is interrupted by an oxygen, which is an alkoxy. This is evident from the exemplified compounds. Please see the example compounds on page 8. No new matter has been added by the amended definition for R^1 . As such, Applicants respectfully request that this rejection be withdrawn.

Information Disclosure Statement

Applicants submit concurrently herewith an Information Disclosure Statement to make JP-A 2004-53822, JP-A 2004-118136 and JP-A 2004-161860 known to the Examiner. Applicants submit that the presently claimed invention is patentable over these references since the present claims either have an earlier filing date or claim benefit to the earlier filed Japanese priority document, which fully supports the claimed subject matter. Applicants also submit concurrently herewith a certified English translation of JP 2003-061476, which was filed on March 7, 2003 and to which priority is claimed under 35 USC §119.

Conclusion

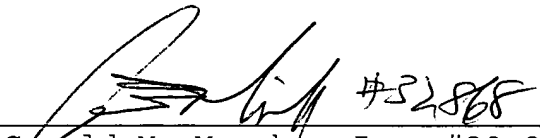
As Applicants have addressed and overcome all rejections in the Office Action, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s): Information Disclosure Statement;
Certified English Translation of Japanese Patent
Application No. 2003-061476